

ENTERED

January 19, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FREDRIC N.	§	CIVIL ACTION NO.
ESHELMAN,	§	4:20-cv-04034
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
TRUE THE VOTE, INC,	§	
<i>et al</i> ,	§	
Defendants.		

ORDER

Plaintiff Fredric N. Eshelman gave \$2.5 million to Defendant True the Vote, Inc to investigate voter fraud in connection with the 2020 election. He has brought action against True the Vote and a number of others for allegedly failing to comply with certain conditions that he allegedly imposed on his contribution. See generally Dkt 20.

The parties have conferred on a number of matters pertaining to discovery and scheduling issues related to pending requests for a temporary restraining order and for a preliminary injunction. They filed a joint status report in this regard. Dkt 42.

First. The motion by Eshelman for a preliminary injunction as to Defendant True the Vote, Inc is DENIED AS MOOT. Dkt 10. The parties advise that Eshelman has withdrawn that motion. Dkt 42 at 1.

Second. The motion by Eshelman to file under seal his subsequent motion for a temporary restraining order and for a preliminary injunction is GRANTED. Dkt 41. He has adequately explained a necessary basis for confidentiality. Dkt 42 at 2.

Third. The motion by Eshelman for a temporary restraining order as to Defendants James Bopp, Jr. and The Bopp Law Firm is DENIED AS MOOT. Dkt 40. The parties advise that Eshelman has withdrawn his motion in that respect as to them. Dkt 42 at 1. But that aspect of his motion remains operative as to Defendants True the Vote, Inc, Catherine Engelbrecht, Gregg Phillips, and OPSEC Group, LLC. Dkt 42 at 1.

Fourth. The motion by Eshelman for a temporary restraining order also includes a further request for preliminary injunction. Dkt 40 at 7. The parties advise that this aspect of the motion remains pending against all Defendants. Dkt 42 at 1.

A hearing is SCHEDULED to occur by videoconference on January 27, 2021 as to both the request for a temporary restraining order and for a preliminary injunction. The Case Manager will coordinate a specific time with the parties. All parties must be represented by counsel.

Defendants must file any responses to the pending motion by January 21, 2021.

Eshelman must file any reply by January 25, 2021.

SO ORDERED.

Signed on January 19, 2021, at Houston, Texas.

A handwritten signature in black ink that reads "Ch R Eskridge II". The signature is stylized with a large "Ch" and a prominent "II" at the end.

Hon. Charles Eskridge
United States District Judge